

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: O'Mahony et al.  
Application No.: 09/443,986  
Filed: November 19, 1999

Confirmation No.: 8043  
Group Art Unit No.: 1652  
Examiner: Hope A. Robinson

For: **RETRO-INVERSION PEPTIDES THAT TARGET GIT TRANSPORT  
RECEPTORS AND RELATED METHODS**

Date: December 8, 2008

Attention: Office of Petitions  
Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE  
UNINTENTIONALLY ABANDONED APPLICATION**

Sir:

Please consider this Petition to Revive under 37 C.F.R. § 1.137(b) for failure to timely pay the issue fee for the above-identified application in light of the supporting facts and statements presented below. The issue fee was due on November 21, 2008, therefore this application became abandoned on November 22, 2008.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

- (1) A Final Office Action ("the Final Action") was issued in the present case by the United States Patent and Trademark Office and was mailed to Marilou E. Watson at Synnestvedt & Lechner LLP on May 29, 2008. Petitioner received the Final Action on June 6, 2008 from the office of Ms. Watson.
- (2) The responsibility for the prosecution of this application had been transferred previously from Synnestvedt & Lechner LLP to Petitioner by the Assignee of this Application.
- (3) Responsive to the Final Action, Petitioner timely filed an Amendment After Final Action on August 13, 2008.

- (4) On November 24, 2008, Petitioner contacted Examiner Hope A. Robinson by telephone inquiring into the status of the above-identified application. It was at this time that Petitioner first became aware that a Notice of Allowance was mailed to Ms. Watson on August 21, 2008. Petitioner never received the Notice of Allowance from the office of Ms. Watson.
- (5) On November 25, 2008, Petitioner filed a Revocation of Power of Attorney and New Power of Attorney by Assignee.
- (6) On December 2, 2008, Petitioner received a Notice of Acceptance of New Power of Attorney from the United States Patent and Trademark Office.

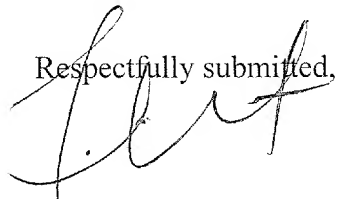
Petitioner submits that the entire delay in filing the required reply from the due date for reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Payment of the issue fee is included herewith.

The Commissioner is hereby authorized to charge Deposit Account 50-0220 in the amount of **\$3,130.00** (\$1,620.00 as fee for the petition fee required under 37 C.F.R. § 1.17(m) and \$1,510.00 as the issue fee) for large entity. This amount is believed to be correct. However, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0220.

Petitioner respectfully requests that the above-identified application be restored to active status for at least the reasons discussed above.

Respectfully submitted,

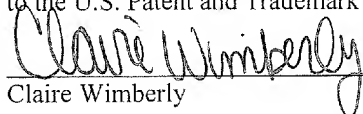


F. Michael Sajovec  
Registration No.: 31,793

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**CERTIFICATION OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on December 8, 2008.

  
Claire Wimberly